

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2007 Legislative Session

**Legislative Day No. 13
October 1, 2007**

HOWARD COUNTY TO WIT:

The Chairman called the session to order at 7:33 p.m.

Calvin Ball, Chairperson; Courtney Watson, Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member, were present.

Sheila Tolliver; Administrator to the County Council; Margaret Nolan, County Solicitor; Jim Vannoy, Office of Law; and Jennifer Sager, Legislative Coordinator, were also present.

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 12, September 4, 2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson to approve the journal was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes of the following meetings:

Legislative Public Hearing -- September 17, 2007
Legislative Public Hearing -- September 18, 2007
Legislative Work Session -- September 24, 2007

His motion was seconded by Ms. Watson. The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

The motion to approve the minutes passed. (See attached.)

INTRODUCTION

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

Appointments

Council Resolution No. 118-2007 - Confirming the appointment of Saba S. Sheikh, M.D. to the Adult Public Guardianship Review Board

A RESOLUTION confirming the appointment of Saba S. Sheikh, M.D. to the Adult Public Guardianship Review Board.

Council Resolution No. 119-2007 - Confirming the reappointment of Margaret R. Chelton to the Adult Public Guardianship Review Board

A RESOLUTION confirming the reappointment of Margaret R. Chelton to the Adult Public Guardianship Review Board.

Financial

Transfer of Appropriation Ordinance No. 1 - Fiscal 2008 - Transferring \$1,415,000 in Water Quality State Revolving loan funding to Capital Project S-6251, Holiday Hills/Riverside Estates Water-Sewer, from Capital Project S-6214, Sewer Contingency Fund, and transferring the same amount in Metro District Bond funding to Capital Project S-6214, Sewer Contingency Fund, from Capital Project S-6251, Holiday Hills/Riverside Estates Water-Sewer

AN ACT transferring \$1,415,000 in Water Quality State Revolving loan funding to Capital Project S-6251, Holiday Hills/Riverside Estates Water-Sewer, from Capital Project S-6214, Sewer Contingency Fund, and transferring the same amount in Metro District Bond funding to Capital Project S-6214, Sewer Contingency Fund, from Capital Project S-6251, Holiday Hills/Riverside Estates Water-Sewer.

Council Bill No. 65-2007 - To authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$1,415,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of Capital Project No. S-6251 (Holiday Hills/Riverside Estates Water-Sewer), and to pay all related costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon assessable property in the Metropolitan District and other available funds, to pay the debt service on such bonds; authorizing the County to enter into a Loan Agreement with the Administration to effect and further evidence such borrowing; and making certain findings and determinations

AN ACT to authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$1,415,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of Capital Project No. S-6251 (Holiday Hills/Riverside Estates Water-Sewer), and to pay all related costs; and to levy taxes upon the assessable property within

the County sufficient, together with benefit assessments, ad valorem taxes levied upon assessable property in the Metropolitan District and other available funds, to pay the debt service on such bonds; authorizing the County to enter into a Loan Agreement with the Administration to effect and further evidence such borrowing; and making certain findings and determinations.

General

Council Bill No. 66-2007 - Introduced by Calvin Ball, Councilperson, and the Chair at the request of the County Executive/Co-spon. by Sigaty, Terrasa, and Watson - Establishing preferences for certain employees of certain public entities in the selection process for moderate income housing units

AN ACT establishing preferences for certain employees of certain public entities in the selection process for moderate income housing units.

Council Bill No.67-2007 - Introduced by Calvin Ball, Councilperson, and the Chair at the request of the County Executive/Co-spon. by: Sigaty, Terrasa, and Watson - Establishing requirements for rental housing owners to give notice of intended sale to the Department of Housing and Community Development, the Housing Commission, and tenant organizations for multi-family dwelling units; authorizing the Department, the Commission, and tenant organizations to take certain actions; authorizing the Department to adopt certain regulations

AN ACT establishing requirements for rental housing owners to give notice of intended sale to the Department of Housing and Community Development, the Housing Commission, and tenant organizations for multi-family dwelling units; authorizing the Department, the Commission, and tenant organizations to take certain actions; authorizing the Department to adopt certain regulations; and generally relating to multi-family dwelling units.

Council Bill No. 68-2007 - Introduced by Calvin Ball, Councilperson, and the Chair at the request of the County Executive/Co-spon. by Sigaty, Terrasa, and Watson - Establishing the right of first refusal, under certain conditions, for the County for units that are converted from rental units to condominium units pursuant to Section 13.1202 of the Howard County Code; providing that any such converted units purchased by the County shall be part of the County's moderate income housing unit program and shall meet the laws and regulations applicable to units in that program; authorizing the Department to adopt certain regulations

AN ACT establishing the right of first refusal, under certain conditions, for the County for units that are converted from rental units to condominium units pursuant to Section 13.1202 of the Howard County Code; providing that any such converted units purchased by the County shall be part of the County's moderate income housing unit program and shall meet the laws and regulations applicable to units in that program; authorizing the Department to adopt certain regulations; and generally relating to conversion of rental units to condominium units.

Council Bill No. 69-2007 - Introduced by: Jennifer Terrasa - Amending the Howard County Code for the purpose of requiring residential developments with 10 or fewer dwelling units to provide sidewalks on the portion of the development which fronts on State roads; requiring the developer of minor subdivisions to pay a fee-in-lieu under certain circumstances; and generally relating to sidewalks and walkways

An Act amending the Howard County Code for the purpose of requiring residential developments with 10 or fewer dwelling units to provide sidewalks on the portion of the development which fronts on State roads; requiring the developer of minor subdivisions to pay a fee-in-lieu under certain circumstances; and generally relating to sidewalks and walkways.

Council Bill No. 70-2007 (ZRA 87) - Introduced by The Chair at the request of Club Pooche - Amending the Howard County Zoning Regulations to permit Pet Daycare and Grooming establishments in various zoning, including the B-1, B-2, SC, M-1, M-2, CAC, and TNC zoning districts by right; permit Kennels in the M-1 zoning district by right; remove Kennels as a by right use in the M-2 zoning district

AN ACT amending the Howard County Zoning Regulations to permit Pet Daycare and Grooming establishments in various zoning, including the B-1, B-2, SC, M-1, M-2, CAC, and TNC zoning districts by right; permit Kennels in the M-1 zoning district by right; remove Kennels as a by right use in the M-2 zoning district; and generally relating to Pet Daycare and Grooming establishments.

Council Bill No. 72-2007 (ZRA 90) - Introduced by The Chairperson at the request of the County Executive/Co-spon. by: Ball, Councilperson; Sigaty, and Terrasa - Amending the Howard County Zoning Regulations to create criteria for projects owned by the Howard County Housing Commission in non-residential zoning districts; adding certain definitions; adding Housing Commission Housing Developments as a use permitted as a matter of right in certain districts; deleting and clarifying certain requirements related to moderate income housing units; providing for certain review; providing for the application of certain provisions of this Act

AN ACT amending the Howard County Zoning Regulations to create criteria for projects owned by the Howard County Housing Commission in non-residential zoning districts; adding certain definitions; adding Housing Commission Housing Developments as a use permitted as a matter of right in certain districts; deleting and clarifying certain requirements related to moderate income housing units; providing for certain review; providing for the application of certain provisions of this Act; and generally related to the Howard County Zoning Regulations.

Council Bill No. 73-2007 - Removing certain zoning requirements from the Howard County Code that relate to properties wholly owned by the Howard County Housing Commission

AN ACT removing certain zoning requirements from the Howard County Code that relate to properties wholly owned by the Howard County Housing Commission, and generally relating to the Howard County Housing Commission.

Council Bill No. 74-2007 - Introduced by The Chairperson at the request of the County

Executive/Co-spon. by: Ball, Councilperson - Adding certain alternatives for continuing care facilities; clarifying that certain additional units shall be provided if a computation results in a fraction of a unit; providing that the Housing and Community Development Board, instead of the Housing Commission, shall set the initial price for certain units; amending certain factors for determining the initial sales price; prohibiting certain increases in initial sales prices; requiring that subsequent sales shall be offered to eligible purchasers; amending certain time periods pertaining to certain rental restrictions; removing certain criteria for determining income; clarifying that purchase or rent by a designee is not only in mixed-use developments; adding that Regulations adopted by the Department shall include certain criteria; making certain technical correction

AN ACT adding certain alternatives for continuing care facilities; clarifying that certain additional units shall be provided if a computation results in a fraction of a unit; providing that the Housing and Community Development Board, instead of the Housing Commission, shall set the initial price for certain units; amending certain factors for determining the initial sales price; prohibiting certain increases in initial sales prices; requiring that subsequent sales shall be offered to eligible purchasers; amending certain time periods pertaining to certain rental restrictions; removing certain criteria for determining income; clarifying that purchase or rent by a designee is not only in mixed-use developments; adding that Regulations adopted by the Department shall include certain criteria; making certain technical corrections; and generally relating to Moderate Income Housing Units in Howard County.

Council Resolution No. 120-2007 - Approving the development of an affordable housing project to be known as The Residences at Ellicott Gardens in Ellicott City, Maryland to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration

A RESOLUTION approving the development of an affordable housing project to be known as The Residences at Ellicott Gardens in Ellicott City, Maryland to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration.

Council Resolution No. 121-2007 - Approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between The Residences at Ellicott Gardens, LLC, and Howard County, Maryland for a multi-family rental housing project known as The Residences at Ellicott Gardens

A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between The Residences at Ellicott Gardens, LLC, and Howard County, Maryland for a multi-family rental housing project known as The Residences at Ellicott Gardens.

Council Resolution No. 122-2007 - Approving the development of an affordable housing project to be known as Park View at Emerson in Laurel, Maryland to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration

A RESOLUTION approving the development of an affordable housing project to be known as Park View at Emerson in Laurel, Maryland to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration.

Council Resolution No. 123-2007 - Approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Emerson, LLLP and Howard County, Maryland for a multi-family rental housing project known as Park View at Emerson.

A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Emerson, LLLP and Howard County, Maryland for a multi-family rental housing project known as Park View at Emerson.

Council Resolution No. 124-2007 - Pursuant to Section 5-301 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2009 and Capital Improvement Program Request for Fiscal Years 2010-2014 for the purpose of submission to the Interagency Committee on School Construction

A RESOLUTION pursuant to Section 5-301 of the Education Article of the Annotated Code of Maryland, approving the Howard County Board of Education's Capital Budget Request for Fiscal Year 2009 and Capital Improvement Program Request for Fiscal Years 2010-2014 for the purpose of submission to the Interagency Committee on School Construction.

Council Resolution No. 125-2007 - Introduced by The Chair at the request of the County Executive At the request of Carson Scholars Fund - Approving a project submitted by Carson Scholars Fund to provide funding and support to local elementary and middle schools in Priority Funding Areas of Howard County, as defined by the Maryland Department of Housing and Community Development, so that they can create a space where students can read in a quiet, inviting, and secure atmosphere

A RESOLUTION approving a project submitted by Carson Scholars Fund to provide funding and support to local elementary and middle schools in Priority Funding Areas of Howard County, as defined by the Maryland Department of Housing and Community Development, so that they can create a space where students can read in a quiet, inviting, and secure atmosphere.

Council Resolution No. 126-2007 - Pursuant to the Howard County Cable Televisions Systems Franchise Act, provisionally denying, without prejudice, an application for a cable television franchise received from Cavalier Telephone Mid-Atlantic, LLC; and providing that the County does not waive certain legal arguments

A RESOLUTION pursuant to the Howard County Cable Televisions Systems Franchise Act, provisionally denying, without prejudice, an application for a cable television franchise received from Cavalier Telephone Mid-Atlantic, LLC; and providing that the County does not waive certain legal arguments.

FINAL CONSIDERATION

The Chairperson moved to adopt the following legislation.

Consent

Council Resolution No. 94-2007 – Confirming the appointment of Stephanie W. Bowling, Ph.D. to the Board of Social Services

Council Resolution No. 95-2007 – Confirming the appointment of Ulysses M. Currie to the Board of Social Services

Council Resolution No. 96-2007 – Confirming the appointment of Kevin J. Doyle to the Board of Library Trustees

Council Resolution No. 97-2007 – Confirming the appointment of Stacie Hunt Irish to the Board of Library Trustees

Council Resolution No. 98-2007 – Confirming the appointment of Jennifer R. Smith to the Commission for Women

Council Resolution No. 100-2007 – Confirming the appointment of Catherine Ward to the Board of Directors of the Economic Development Authority

Council Resolution No. 101-2007 –Confirming the appointment of Walinda P. West to the Board of Social Services

Council Resolution No. 102-2007 –Confirming the appointment of Erin M. Yun to the Commission for Women

Council Resolution No. 103-2007 –Confirming the appointment of Jean L. Daniello to the Commission on Disability Issues

Council Resolution No. 104-2007 – Confirming the appointment of Joyce Lehrer to the Adult Public Guardianship Review Board

Council Resolution No. 105-2007 –Confirming the appointment of Sue Song, Ph.D. to the Board of Health

Council Resolution No. 106-2007 – Confirming the appointment of Nikki Young to the Adult Public Guardianship Review Board

Council Resolution No. 107-2007 – Confirming the appointment of Maurice Bellan to the Public Ethics Commission

Council Resolution No. 108-2007 – Confirming the appointment of Rondra Marcelli, R.N. to the Adult Public Guardianship Review Board

Council Resolution No. 109-2007 – Confirming the reappointment of Richard L. Cohen to the Commission on Disability Issues

Council Resolution No. 110-2007 – Confirming the reappointment of Leonora K. Hoenes to the Board of Library Trustees

Council Resolution No. 111-2007 – Confirming the reappointment of Jeffrey M. Levitt to the Board of Social Services

Council Resolution No. 112-2007 – Confirming the reappointment of Heidi Page to the Commission on Disability Issues

Council Resolution No. 113-2007 – Confirming the reappointment of Robert W. Sheesley to the Board of Health

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolutions was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Resolutions No. 94-2007, No. 95-2007, No. 96-2007, No. 97-2007, No. 98-2007, No. 100-2007, No. 101-2007, No. 102-2007, No. 103-2007, No. 104-2007, No. 105-2007, No. 106-2007, No. 107-2007, No. 108-2007, No. 109-2007, No. 110-2007, No. 111-2007, No. 112-2007 and No. 113-2007 passed.

Appointments

Council Resolution No. 99-2007 – Confirming the appointment of Patricia Rynn Sylvester to the Housing and Community Development Board

The Chairperson moved to table Council Resolution No. 99-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Resolution No. 99-2007 was tabled.

Financial

Supplementary Budget & Appropriation Ordinance No. 2-Fiscal 2008 - Transferring \$179,500 from the Grant Fund Contingency to County Administration to fund two positions to implement and coordinate activities related to the Fort George G. Meade Regional Base Realignment and Closure

The Chairperson moved to adopt Supplementary Budget & Appropriation Ordinance No. 2-Fiscal 2008. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the ordinance was: yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Supplementary Budget & Appropriation Ordinance 2-Fiscal 2008 passed.

Supplementary Budget & Appropriation Ordinance No. 3-Fiscal 2008 - Transferring \$89,396 from the Grant Fund Contingency to the Department of Police for a grant to fund a full-time Firearms Investigator

The Chairperson moved to adopt Supplementary Budget & Appropriation Ordinance No. 3-Fiscal 2008. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the ordinance was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Supplementary Budget & Appropriation Ordinance No. 3-Fiscal 2008 passed.

Council Bill No. 57-2007 – Approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in approximately 52 acres of agricultural land located at 2275 Fairgrounds Road in West Friendship, Maryland, from H. Thomas Grimes or any other owner thereof for a maximum purchase price of \$1,716,000 or, if less, \$32,996 per acre or portion thereof, rounded to the next highest \$1,000, plus interest thereon; providing that the County's obligation to pay such purchase price and interest shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement

The Chairperson moved to adopt Council Bill No. 57-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Bill No. 57-2007 passed.

General

Council Bill No. 58-2007 –Pursuant to Section 612 of the Howard County Charter, approving a multi-year agreement between Howard County, Maryland and Verizon Maryland Inc. for a transparent local area network service connection

The Chairperson moved to adopt Council Bill No. 58-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Bill No. 58-2007 passed.

Council Bill No. 59-2007 –Amending the Pay Plan for Howard County; adding certain specialty pays for employees of the Sheriff's Office; and generally relating to the Howard County Pay Plan

The Chairperson moved to adopt Council Bill No. 59-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 59-2007 as follows:
(*This amendment clarifies that the provisions of the Bill will apply beginning with the first pay date after July 1, 2007.*)

On page 1, in line 16, insert:

“Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that the provisions of this Act shall apply beginning with the first pay date after July 1, 2007.”

On page 1, in line 17, strike “2” and substitute “3”.

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Council Bill No. 59-2007 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Bill No. 59-2007 passed as amended.

Council Bill No. 60-2007 – Introduced by The Chairperson at the request of the County Executive/Co-sponsored by Jennifer Terrasa, Councilperson - Requiring certain soil and water testing for the commercial or residential redevelopment of golf courses; requiring that the testing comply with certain standards; providing certain alternatives; imposing certain laboratory requirements; requiring testing as a condition of application and approval of a subdivision and site development plans; and generally relating to the commercial or residential redevelopment of golf courses

The Chairperson moved to adopt Council Bill No. 60-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 60-2007 as follows:
(See attached.)

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Council Bill No. 60-2007 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Bill No. 60-2007 passed as amended.

Council Bill No. 61-2007 (ZRA-84) – Introduced by The Chair at the request of Veli Demirel - Amending the Howard County Zoning Regulations to allow certain types of commercial schools to be permitted by right in the OT (Office Transition) zoning district; and generally relating to the OT zoning district

Council Member Fox moved to table Council Bill No. 61-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to table Council Bill No. 61-2007 passed.

Council Bill No. 62-2007 (ZRA-85) – Introduced by The Chair at the request of Dorsey Family Homes - Amending the Howard County Zoning Regulations to allow Traditional Residential Neighborhood standards to be applied to developments of six acres or more within historic districts or within 2000 feet of an historic district with direct access from a scenic road; providing certain requirements for open space in the R-ED zone, providing for certain exceptions in the R-ED zone; and generally relating to the Traditional Residential Neighborhood zoning district

Council Member Watson moved to table Council Bill No. 62-2007. Her motion was seconded by Mr. Fox.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to table Council Bill No. 62-2007 passed.

Council Resolution No. 114-2007 – Introduced by Greg Fox and Courtney Watson - Creating a task force to study the issues associated with establishing a horse park in Howard County

Council Member Fox moved to adopt Council Resolution No. 114-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 114-2007 passed.

Council Resolution No. 115-2007 – Pursuant to Section 16.301 of the Howard County Code amending a variance from the side primary structure setback for a new storage facility and granting a variance from the side use setback for a handicapped parking space at the Bethany Lane Fire Station located at 9601 Route 99, Ellicott City, 21042

The Chairperson moved to adopt Council Resolution No. 115-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 115-2007 passed.

Council Resolution No. 117-2007 – Supplementing the Historic Sites Inventory for Howard County and adopting certain criteria

The Chairperson moved to adopt Council Resolution No. 117-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 117-2007 as follows: *(This amendment substitutes a new historic inventories list in order to:*

1. *Clarify that the list supplements the list adopted in 2004; and*
2. *Remove 3961 College Avenue and 3965 College Avenue from the list.)*

Remove Exhibit A, as attached to the Resolution as introduced, and substitute a revised Exhibit A, as attached to this Amendment. (See attached.)

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Council Resolution No. 117-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 117-2007 passed as amended.

Council Resolution No. 116-2007 - Adopting green neighborhood standards that must be met in order to receive a Green Neighborhood Allocation

The Chairperson moved to adopt Council Resolution No. 116-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 116-2007 as follows: *(This amendment would require that an annual report is prepared and submitted to the County Executive and County Council.)*

On the title page, in line 2 of the title, after “Allocation”, insert “; and providing a reporting process for the Green Neighborhood Checklist”.

On page 1, immediately after line 24, insert the following:

“ **WHEREAS**, the County Council would like to periodically monitor and review the effectiveness of the newly created Green Neighborhood Checklist, by having an annual report submitted by the appropriate departments; and”.

On page 2, in line 7, strike the period and substitute “; and”.

On page 2, after line 7, insert the following

“ **AND BE IT FURTHER RESOLVED**, that the Directors of Department Planning and Zoning and Department of Inspections, Licenses and Permits shall, by January 1st of each year, submit to the County Executive and the County Council a report including the number of residential development projects that received Green Neighborhood Allocations, the number of points received on the checklist by each project, and the number of residential development projects overall; summarizing feedback from local engineers; and forwarding recommendations, if any, for improving the checklist.”.

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Amendment No. 1 to Council Resolution No. 116-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 116-2007 passed as amended.

Council Bill No. 63-3004 (ZRA-79) – Introduced by Mary Kay Sigaty - Amending the Howard County Zoning Regulations to establish a height limit on buildings in the New Town zoning district without exception; and generally relating to the New Town zoning district

Council Member Sigaty moved to table Council Bill No. 63-2007. Her motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to table Council Bill No. 63-2007 passed.

Council Bill No. 64-2007 (ZRA-83) – Introduced by Mary Kay Sigaty -Amending the Howard County Zoning Regulations to provide that the zoning cases considered pending and therefore subject to zoning regulation changes shall include those cases appealed or petitioned for judicial review; and generally relating to the Zoning Regulations Construction and Effective Date provisions

Council Member Sigaty moved to table Council Bill No. 64-2007. Her motion was seconded by Ms. Terrasa.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Sigaty and Terrasa; Nay: Council Members Fox and Watson.

The motion to table Council Bill No. 64-2007 passed.

Council Resolution No. 89-2007 – Adopting green neighborhood standards that must be met in order to receive a Green Neighborhood Allocation (*Tabled 07/30/07*)

The Chairperson moved to remove Council Resolution No. 89-2007 from the table. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to remove Council Resolution No. 89-2007 from the table passed.

The Chairperson moved to withdraw Council Resolution No. 89-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to withdraw Council Resolution No. 89-2007 passed.

(Note: Council Resolution No. 116-2007 replaced Council Resolution No. 89-2007.)

ADJOURNMENT

The Chairperson adjourned the legislative session at 8:04 p.m.

TABLED LEGISLATION

Council Resolution No. 99-2007 – Confirming the appointment of Patricia Rynn Sylvester to the Housing and Community Development Board *(Tabled 10/01/07)*

Council Bill No. 61-2007 (ZRA-84) – Introduced by The Chair at the request of Veli Demirel - Amending the Howard County Zoning Regulations to allow certain types of commercial schools to be permitted by right in the OT (Office Transition) zoning district; and generally relating to the OT zoning district *(Tabled 10/01/07)*

Council Bill No. 62-2007 (ZRA-85) – Introduced by The Chair at the request of Dorsey Family Homes - Amending the Howard County Zoning Regulations to allow Traditional Residential Neighborhood standards to be applied to developments of six acres or more within historic districts or within 2000 feet of an historic district with direct access from a scenic road; providing certain requirements for open space in the R-ED zone, providing for certain exceptions in the R-ED zone; and generally relating to the Traditional Residential Neighborhood zoning district *(Tabled 10/01/07)*

Council Bill No. 63-3004 (ZRA-79) – Introduced by Mary Kay Sigaty - Amending the Howard County Zoning Regulations to establish a height limit on buildings in the New Town zoning district without exception; and generally relating to the New Town zoning district *(Tabled 10/01/07)*

Council Bill No. 64-2007 (ZRA-83) – Introduced by Mary Kay Sigaty -Amending the Howard County Zoning Regulations to provide that the zoning cases considered pending and therefore subject to zoning regulation changes shall include those cases appealed or petitioned for judicial review; and generally relating to the Zoning Regulations Construction and Effective Date provisions *(Tabled 10/01/07)*

CLOSED MEETING

The County Council met in closed session at 7:50 p.m. on September 4, 2007 as provided in the Annotated Code of Maryland, State Government Article, Section §10-508(a)(1) which permits closed sessions to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom the Council has jurisdiction.

Council Members Calvin Ball, Greg Fox, Mary Kay Sigaty, Jennifer Terrasa and Courtney Watson were present. Sheila Tolliver, Administrator to the Council was also present.

The Chairperson motioned to close the session. His motion was seconded by Ms. Watson. The roll call vote called on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson The motion to conduct the closed meeting passed.

The closed meeting was adjourned at 8:15 p.m.